

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DANIEL R. WILES, JR.,

Plaintiff,

v.

MARY SCOTT,

Defendants.

CASE NO. C12-5722BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 11. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**; and
- (2) Defendant’s motion to dismiss is denied. Plaintiff has exhausted his administrative remedies. Further, plaintiff has stated a prima facie cause of action as he alleges that a person acting under color of state law deprived him of a constitutional right.

Dated this 27th day of February, 2013.



BENJAMIN H. SETTLE  
United States District Judge